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12-10-01

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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sector \$

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

|   |                             |                               |             |
|---|-----------------------------|-------------------------------|-------------|
| <b>Application Number</b>                       | 09/944,610                  |                               |             |
|   | <b>Filing Date</b>          | August 31, 2001               |             |
|   | <b>First Named Inventor</b> | Yoshimune, et al.             |             |
|   | <b>Group Art Unit</b>       | 2131                          |             |
|   | <b>Examiner Name</b>        |                               |             |
| <b>Total Number of Pages in This Submission</b> | 8                           | <b>Attorney Docket Number</b> | 11342.00007 |

### ENCLOSURES (check all that apply)

|  |  |   |
|--|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><br><input type="checkbox"/> Fee Attached<br><br><input type="checkbox"/> Amendment / Response<br><br><input type="checkbox"/> After Final<br><br><input type="checkbox"/> Affidavits/declaration(s)<br><br><input type="checkbox"/> Extension of Time Request<br><br><input type="checkbox"/> Express Abandonment Request<br><br><input type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><br><input checked="" type="checkbox"/> Response to Missing Parts/<br>Incomplete Application<br><br><input type="checkbox"/> Response to Missing<br>Parts under 37 CFR<br>1.52 or 1.53 | <input type="checkbox"/> Assignment Papers<br>(for an Application)<br><br><input type="checkbox"/> Drawing(s)<br><br><input type="checkbox"/> Licensing-related Papers<br><br><input type="checkbox"/> Petition<br><br><input type="checkbox"/> Petition to Convert to a<br>Provisional Application<br><br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><br><input type="checkbox"/> Terminal Disclaimer<br><br><input type="checkbox"/> Request for Refund<br><br><input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to<br>Group<br><br><input type="checkbox"/> Appeal Communication to Board of<br>Appeals and Interferences<br><br><input type="checkbox"/> Appeal Communication to Group<br>(Appeal Notice, Brief, Reply Brief)<br><br><input type="checkbox"/> Proprietary Information<br><br><input type="checkbox"/> Status Letter<br><br><input checked="" type="checkbox"/> Other Enclosure(s)<br>(please identify below):<br><br><b>Executed Declaration and Power<br/>of Attorney, Return Postcard</b> |
| <b>Remarks</b>   |  |   |

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

|  |  |
|--|--|
| <b>Firm<br/>or<br/>Individual name</b> | Timothy C. Meece, Banner & Witcoff, Ltd. |
| <b>Signature</b>                       | <i>Tim Meece</i>                         |
| <b>Date</b>                            | November 8, 2001                         |

### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:

|                              |  |             |  |
|------------------------------|--|-------------|--|
| <b>Typed or printed name</b> |  |             |  |
| <b>Signature</b>             |  | <b>Date</b> |  |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

**OFFICE OF THE PATENT AND TRADEMARK OFFICE**  
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**U.S. PATENT AND TRADEMARK OFFICE**

**FEE TRANSMITTAL**  
**for FY 2001**

Patent fees are subject to annual revision.

**TOTAL AMOUNT OF PAYMENT (\$)** 130

**Complete if Known**

Application Number: 09/944,610

Filing Date: August 31, 2001

First Named Inventor: Yoshimune, et al.

Examiner Name:

Group / Art Unit: 2131

Attorney Docket No.: 11342.00007

**METHOD OF PAYMENT (check one)**

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number: 01-0850

Deposit Account Name: Banner & Witcoff, Ltd.

☐ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

**FEE CALCULATION**

1. BASIC FILING FEE

| Large Fee Code      | Large Entity Fee (\$) | Small Fee Code | Small Entity Fee (\$) | Fee Description        | Fee Paid      |
|---------------------|-----------------------|----------------|-----------------------|------------------------|---------------|
| 101                 | 710                   | 201            | 355                   | Utility filing fee     |               |
| 106                 | 320                   | 206            | 160                   | Design filing fee      |               |
| 107                 | 490                   | 207            | 245                   | Plant filing fee       |               |
| 108                 | 710                   | 208            | 355                   | Reissue filing fee     |               |
| 114                 | 150                   | 214            | 75                    | Provisional filing fee |               |
| <b>SUBTOTAL (1)</b> |                       |                |                       |                        | <b>(\$)</b> 0 |

2. EXTRA CLAIM FEES

| Total Claims | Independent Claims | Multiple Dependent | Extra Claims | Fee from below | Fee Paid |
|--------------|--------------------|--------------------|--------------|----------------|----------|
|              |                    |                    | -20** = 0    | X              | = 0      |
|              |                    |                    | -3** = 0     | X              | = 0      |
|              |                    |                    |              | X              | = 0      |

| Large Fee Code      | Large Entity Fee (\$) | Small Fee Code | Small Entity Fee (\$) | Fee Description  | Fee Paid      |
|---------------------|-----------------------|----------------|-----------------------|--|---------------|
| 103                 | 18                    | 203            | 9                     | Claims in excess of 20                                     |               |
| 102                 | 80                    | 202            | 40                    | Independent claims in excess of 3                          |               |
| 104                 | 270                   | 204            | 135                   | Multiple dependent claim, if not paid                      |               |
| 109                 | 80                    | 209            | 40                    | ** Reissue independent claims over original patent         |               |
| 110                 | 18                    | 210            | 9                     | ** Reissue claims in excess of 20 and over original patent |               |
| <b>SUBTOTAL (2)</b> |                       |                |                       |  | <b>(\$)</b> 0 |

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)**

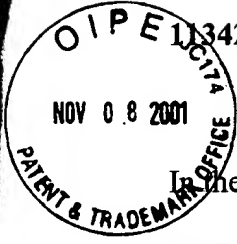
| Large Fee Code                    | Large Entity Fee (\$) | Small Fee Code | Small Entity Fee (\$) | Fee Description  | Fee Paid        |
|-----------------------------------|-----------------------|----------------|-----------------------|--|-----------------|
| 105                               | 130                   | 205            | 65                    | Surcharge - late filing fee or oath  | 130             |
| 127                               | 50                    | 227            | 25                    | Surcharge - late provisional filing fee or cover sheet.                    |                 |
| 139                               | 130                   | 139            | 130                   | Non-English specification  |                 |
| 147                               | 2,520                 | 147            | 2,520                 | For filing a request for reexamination                                     |                 |
| 112                               | 920*                  | 112            | 920*                  | Requesting publication of SIR prior to Examiner action                     |                 |
| 113                               | 1,840*                | 113            | 1,840*                | Requesting publication of SIR after Examiner action                        |                 |
| 115                               | 110                   | 215            | 55                    | Extension for reply within first month                                     |                 |
| 116                               | 390                   | 216            | 195                   | Extension for reply within second month                                    |                 |
| 117                               | 890                   | 217            | 445                   | Extension for reply within third month                                     |                 |
| 118                               | 1,390                 | 218            | 695                   | Extension for reply within fourth month                                    |                 |
| 128                               | 1,890                 | 228            | 945                   | Extension for reply within fifth month                                     |                 |
| 119                               | 310                   | 219            | 155                   | Notice of Appeal   |                 |
| 120                               | 310                   | 220            | 155                   | Filing a brief in support of an appeal                                     |                 |
| 121                               | 270                   | 221            | 135                   | Request for oral hearing   |                 |
| 138                               | 1,510                 | 138            | 1,510                 | Petition to institute a public use proceeding                              |                 |
| 140                               | 110                   | 240            | 55                    | Petition to revive - unavoidable   |                 |
| 141                               | 1,240                 | 241            | 620                   | Petition to revive - unintentional   |                 |
| 142                               | 1,240                 | 242            | 620                   | Utility issue fee (or reissue)   |                 |
| 143                               | 440                   | 243            | 220                   | Design issue fee   |                 |
| 144                               | 600                   | 244            | 300                   | Plant issue fee  |                 |
| 122                               | 130                   | 122            | 130                   | Petitions to the Commissioner  |                 |
| 123                               | 130                   | 123            | 130                   | Petitions related to provisional applications                              |                 |
| 126                               | 180                   | 126            | 180                   | Submission of Information Disclosure Stmt                                  |                 |
| 581                               | 40                    | 581            | 40                    | Recording each patent assignment per property (times number of properties) |                 |
| 146                               | 710                   | 246            | 355                   | Filing a submission after final rejection (37 CFR § 1.129(a))              |                 |
| 149                               | 710                   | 249            | 355                   | For each additional invention to be examined (37 CFR § 1.129(b))           |                 |
| 179                               | 710                   | 279            | 355                   | Request for Continued Examination (RCE)                                    |                 |
| 169                               | 900                   | 169            | 900                   | Request for expedited examination of a design application                  |                 |
| Other fee (specify) _____         |                       |                |                       |  |                 |
| *Reduced by Basic Filing Fee Paid |                       |                |                       |  |                 |
| <b>SUBTOTAL (3)</b>               |                       |                |                       |  | <b>(\$)</b> 130 |

**SUBMITTED BY**

| Name (Print/Type) | Registration No. Attorney/Agent) | Telephone        |
|-------------------|----------------------------------|------------------|
| Timothy C. Meece  | 38,553                           | 312.715.1000     |
| Signature         | Date                             | November 8, 2001 |

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

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11342.00007

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of: )  
Yoshimune, et al. )  
Serial No. 09/944,610 ) Group Art Unit 2131  
Filed: August 31, 2001 )  
For: Book Data Service System with Data )  
Delivery By Broadcasting )

RESPONSE TO NOTICE TO FILE MISSING PARTS

Assistant Commissioner of Patents  
Attn: Box Missing Parts  
Washington, DC 20231

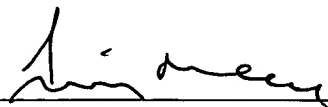
Dear Sir:

Enclosed herewith is the executed declaration with respect to the above-identified application along with the appropriate fee and a copy of the Notice to File Missing Parts. Acceptance of these enclosures is respectfully requested.

Respectfully submitted

BANNER & WITCOFF, LTD.

Date: November 8, 2001

By:   
Timothy C. Meece  
Reg. No. 38,553

BANNER & WITCOFF, LTD.  
TEN SOUTH WACKER DR.  
CHICAGO, ILLINOIS 60606  
TELEPHONE (312) 715-1000



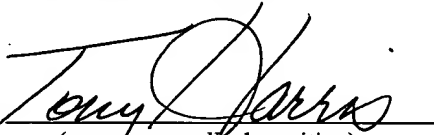
**CERTIFICATE OF MAILING BY AEXPRESS MAIL**  
(Attorney Docket No. 11342.00007)

Express Mail No EL929161542US

Deposited November 8, 2001

I hereby certify that the attached correspondence, identified below, is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" under 37 CFR 1.10 on the date indicated above and is addressed to the Asst. Commissioner for Patents, Box Missing Parts, Washington, DC 20231.

By:

  
(person actually depositing)

In the Application of: Yoshimune, et al.

Serial No.: 09/944,610

Date Filed: August 31, 2001

Title: Book Data Service System with Data Delivery By Broadcasting

☒ Postcard

☒ Transmittal Letter

☒ Fee Transmittal in Duplicate

☒ Response to Notice to File Missing Parts

☒ Executed Declaration and Power of Attorney

☐ Other:

Attorney Docket No.: 11342.00007

#3



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/944,610         | 08/31/2001          | Toshiya Yoshimune     | 11342                  |

CONFIRMATION NO. 2396

## FORMALITIES LETTER



\*OC000000006824004\*

BANNER & WITCOFF, LTD.  
TEN SOUTH WACKER DRIVE  
SUITE 3000  
CHICAGO, IL 60606

Date Mailed: 10/01/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

12/12/2001 REGISTRATION 00000038 010850 09944610  
01 FC:105 130.00 CH